

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jay Avery Jenerette

Docket No. 7:11-CR-156-1FL

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jay Avery Jenerette, who, upon an earlier plea of guilty to Conspiracy to Distribute and Distribute 28 Grams or More of Cocaine Base, in violation of 21 U.S.C. § 846, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on July 19, 2012, to the custody of the Bureau of Prisons for a term of 92 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On February 4, 2015, pursuant to a Motion for Sentence Reduction pursuant to 18 U.S.C. 3582(c)(2), the court reduced the term of imprisonment to 77 months, and ordered that the effective date for the reduction would be November 1, 2015.

Jay Avery Jenerette was released from custody on August 26, 2016, at which time the term of supervised release commenced.

On March 20, 2018, the court was notified of the defendant's new charges for Possession of an Open Container of Alcohol in the Passenger Area (18IF701279) and Possession of Marijuana Up to ½ Ounce (18CR701423) in Brunswick County, and of his admission to using marijuana. In response to the charge for Open Container and the defendant's admission to using marijuana, he was verbally admonished by the undersigned officer, was referred for participation in substance abuse treatment, and a cognitive intervention was applied to improve his decision making ability. The court agreed to continue him on supervision and ordered him to complete 12 hours of community service. It is noted that the charge of Possession of Marijuana Up to ½ Ounce remains pending.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 26, 2018, the defendant submitted to a urine test which yielded positive results for marijuana. Confirmation was received from Alere Laboratories on May 21, 2018, and the defendant was confronted on May 22, 2018. He was again verbally admonished and a cognitive intervention technique was reapplied. The defendant acknowledged his addiction to marijuana but expressed a desire to change his course. Given the acknowledgment of his addiction, his expressed desire to change, and his participation in substance abuse treatment, it is recommended that he be required to complete an additional 12 hours of community service. The court will be notified should any future violations occur.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform an additional 12 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2045
Executed On: May29, 2018

ORDER OF THE COURT

Considered and ordered this 29th day of May, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge